

**Forest Service Southwestern Region (R3), Regional Forester's Office,
Cooperative and International Forestry Staff**

CHARTER

1. Committee's Official Designation

Collaborative Forest Restoration Program Technical Advisory Panel (the Panel)

2. Authority

The Panel is established consistent with the Community Forest Restoration Act (Pub. L. No.106-393, Title VI, Section 606) (the Act) and the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C., App.II.

3. Objectives and Scope of Activities

The purpose of the Panel is to evaluate proposals for forest restoration grants and provide recommendations to the Secretary about the proposals that best meet the objectives of the Collaborative Forest Restoration Program (CFRP).

4. Description of Duties

The Panel shall provide recommendations to Secretary, through the Forest Service, Southwestern Regional Forester, on a schedule to be established by the Panel Chair. The Panel's recommendations shall consider the proposed projects' effects on long-term management and provide recommendations regarding which proposals best meet the following objectives pursuant to Section 605 of the Act: (1) Reduce the threat of large, high-intensity wildfires and the negative effects of excessive competition between trees by restoring ecosystem functions, structures, and species composition, including the reduction of nonnative species populations; (2) Reestablish fire regimes approximating those that shaped forest ecosystems prior to fire suppression; (3) Preserve old and large trees; (4) Replant trees in deforested areas if they exist in the proposed project area; (5) Improve the use of, or add value to, small diameter trees; (6) Comply with all Federal and State environmental laws; (7) Include a diverse and balanced group of stakeholders as well as appropriate Federal, State, Tribal, county, and municipal government representatives in the design, implementation, and monitoring of the project; (8) Incorporate current scientific forest restoration

information; (9) Include a multiparty assessment to (a) identify both the existing ecological condition of the proposed project area and the desired future condition and (b) report, upon project completion, on the positive or negative impact and effectiveness of the project including improvements in local management skills and on-the-ground results; (10) Create local employment or training opportunities within the context of accomplishing restoration objectives including summer youth jobs programs, such as the Youth Conservation Corps, where appropriate; (11) Not exceed 4 years in length; (12) Not exceed a total annual cost of \$150,000 per project, with the Federal portion not exceeding \$120,000 annually per project nor exceed a total cost of \$450,000 for each project, with the Federal portion of the total cost not exceeding \$360,000 per project; (13) Leverage Federal funding through in-kind or matching contributions; and (14) Include an agreement by program grantees to attend an annual workshop with other stakeholders for the purpose of discussing the Collaborative Forest Restoration Program and projects implemented under the program. In developing their recommendations, the Panel shall seek to use a consensus-based decision-making process. Consistent with applicable laws and Departmental regulations, the Panel may adopt such by-laws or rules of operation, as it deems advisable.

5. Agency or Official to Whom the Committee Reports

The Panel will report to the Secretary of Agriculture through the Regional Forester of the Southwestern Region. The Secretary of Agriculture will appoint the panel members.

6. Support

Clerical and other administrative support for the Panel will be provided by the USDA Forest Service, Southwestern Regional Office.

7. Estimated Annual Operating Costs and Staff Years

Estimated annual operating costs of the Panel are \$90,000. Federal staff support is estimated at 0.5 full-time equivalents, per year, including direct and indirect expenses. Panel expenses will be covered through the Collaborative Forest Restoration Program.

Members of the Panel serve without compensation. In the performance of their duties away from their homes or regular places of business, Panel members may be allowed reimbursement for travel expenses including per diem in lieu of subsistence, as authorized by 5 U.S.C. 5703. All Panel expenses will be subject to approval of the Designated Federal Officer.

8. Designated Federal Officer

A permanent Federal employee is to be appointed in accordance with agency procedures and will serve as the Designated Federal Official (DFO). The DFO will approve the advisory committee's and subcommittees' meetings, prepare and approve all meeting agendas, attend all committee and subcommittee meetings, adjourn any meeting when the DFO determines adjournment to be in the public interest, and chair meetings when directed to do so by the official to whom the advisory committee reports.

9. Estimated Number and Frequency of Meetings

The Panel will meet approximately one or two times a year, or as often as is necessary to complete its business. A majority of the Panel members must be present to constitute an official meeting. The Panel shall not hold any meetings except at the call of, or with the advance approval of, the DFO. Notice of each meeting shall be provided in the Federal Register and in major New Mexico newspapers at least 15 days before each meeting. Panel members will be notified personally of the date, time, and place of each meeting. All meetings will be open to the public, and all proceedings and relevant documents will be posted and made accessible to the public.

10. Duration

Continuing

11. Termination

This charter will be in effect for 2 years from the filing date and will be renewed every two years. However the Panel will be evaluated annually for its effective use and control by the Agency.

12. Membership and Designation

12a. This Committee will be fairly balanced in its membership in terms of the points of view represented and the functions to be performed. To encourage fresh points of view, establishing staggered membership terms and limiting the number of renewed memberships will be accomplished.

12b. The Panel will consist of 12 to 15 members approved and appointed by the Secretary of Agriculture and representing the following interests: (1) A State natural resources official from the State of New Mexico; (2) At least two representatives from Federal land management agencies; (3) At least one tribal or pueblo representative; (4) At least two independent scientists with experience

in forest ecosystem restoration; and (5) Equal representation from - (a) Conservation interests, (b) Local communities, and (c) Commodity interests. Each Panel member shall serve as a representative of one of the interest groups described in Section 606 (b) of the Act. Vacancies on the Panel will be filled in the manner in which the original appointments were made. Appointments to vacant or expiring positions will be made annually. The terms of appointment will be staggered to assure continuity.

12c. Of these members, one will become the chairperson who is recognized for his or her ability to lead a group in a fair and focused manner and who has been briefed on the mission of this Committee. A co-chairperson may be assigned, especially to facilitate his or her transition to become the chairperson in the future.

12d. Ethics Statement

To maintain the highest levels of honesty, integrity and ethical conduct, no Committee or subcommittee member shall participate in any “specific party matters” (i.e., matters are narrowly focused and typically involve specific transactions between identified parties) such as a lease, license, permit, contract, claim, grant, agreement, or related litigation with the Department in which the member has a direct or indirect financial interest. This includes the requirement for Committee or Subcommittee members to immediately disclose to the DFO (for discussion with USDA’s Office of Ethics) any specific party matter in which the member’s immediate family, relatives, business partners or employer would be directly seeking to financially benefit from the Committee’s recommendations. Members of the Committee shall be required to disclose their direct or indirect interest in leases, licenses, permits, contracts, or claims grants, or agreements that involve lands or resources administered by the Forest Service, or in any litigation related thereto. For purposes of this paragraph, indirect interest includes holdings of a spouse or a dependent child.

All members will receive ethics training to identify and avoid any actions that would cause the public to question the integrity of the Committee’s advice and recommendations. Members who are appointed as “Representatives” are not subject to Federal ethics laws because such appointment allows them to represent the point(s) of view of a particular group, business sector or segment of the public.

Members appointed as “Special Government Employees” (SGEs) are considered intermittent Federal employees and are subject to Federal ethics laws. SGE’s are appointed due to their personal knowledge, academic scholarship, background or expertise. No SGE may participate in any activity in which the member has a

prohibited financial interest. Appointees who are SGEs are required to complete and submit a Confidential Financial Disclosure Report (OGE-450 form) and, upon request, USDA will assist SGEs in preparing these financial reports. To ensure the highest level of compliance with applicable ethical standards USDA will provide ethics training to SGEs on an annual basis. The provisions of these paragraphs are not meant to exhaustively cover all Federal ethics laws and do not affect any other statutory or regulatory obligations to which advisory committee members are subject.

13. Subcommittees

The Forest Service has the authority to create subcommittees. Subcommittees must report back to the parent committee, and must not provide advice or work products directly to the Agency. The CFRP Technical Advisory Panel Subcommittee for the Review of CFRP Multi-Party Assessment Reports from Completed Projects meets every other year and reports back to the CFRP Technical Advisory Panel.

14. Recordkeeping

The records of this Committee, formally and informally established subcommittees, or other subgroups of the committee, shall be handled in accordance with General Records Schedule 26, Item 2 or other approved agency records disposition schedule. These records shall be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. 552. Information about this Committee is available online at:

<http://www.fs.usda.gov/goto/r3/cfrp>

15. Filing Date

March 24, 2014